

United States Patent Application
DECLARATION UNDER 37 C.F.R. § 1.63

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ONLINE DIGITAL VIDEO SIGNAL TRANSFER APPARATUS AND METHOD**

The specification of which

- a. is attached hereto.
- b. was filed on _____ as Application Serial No. _____, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. no such applications have been filed.
- b. such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster
 Foley & Lardner
 2029 Century Park East – Suite 3500
 Los Angeles, CA 90067-3021

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Sherr	First Given Name Scott	Second Given Name Jeffrey
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.
1	Post Office Address	Post Office Address 1840 Veteran Avenue, #304	City Los Angeles	State & Zip Code/Country California 90025
Signature of Inventor 201:				Date:
2	Full Name Of Inventor	Family Name Miranda	First Given Name Eva	Second Given Name --
0	Residence & Citizenship	City Saratoga	State or Foreign Country California	Country of Citizenship U.S.
2	Post Office Address	Post Office Address 20141 Rancho Bella Vista	City Saratoga	State & Zip Code/Country California 95070
Signature of Inventor 202:				Date:
2	Full Name Of Inventor	Family Name Rubenstein	First Given Name Ira	Second Given Name Steven
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.
3	Post Office Address	Post Office Address 1348 Beckwith Avenue	City Los Angeles	State & Zip Code/Country California 90049
Signature of Inventor 203:				Date:

2	Full Name Of Inventor	Family Name Carey	First Given Name Sean	Second Given Name Brennan
0	Residence & Citizenship	City Marina del Rey	State or Foreign Country California	Country of Citizenship U.S.
4	Post Office Address	Post Office Address 744 Oxford Avenue	City Marina del Rey	State & Zip Code/Country California 90292
Signature of Inventor 204:			Date:	

2	Full Name Of Inventor	Family Name Landau	First Given Name Yair	Second Given Name --
0	Residence & Citizenship	City Pacific Palisades	State or Foreign Country California	Country of Citizenship U.S.
5	Post Office Address	Post Office Address 1427 Chastain Parkway West	City Pacific Palisades	State & Zip Code/Country California 90272
Signature of Inventor 205			Date:	

2	Full Name Of Inventor	Family Name Frank	First Given Name Andrew	Second Given Name C.
0	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizenship U.S.
6	Post Office Address	Post Office Address 2166 Broadway #15E	City New York	State & Zip Code/Country New York 10024
Signature of Inventor 206:			Date:	

2	Full Name Of Inventor	Family Name Lakamp	First Given Name Brian	Second Given Name David
0	Residence & Citizenship	City Malibu	State or Foreign Country California	Country of Citizenship U.S.
7	Post Office Address	Post Office Address 18131 Kingsport Drive	City Malibu	State & Zip Code/Country California 90265
Signature of Inventor 207:			Date:	

2	Full Name Of Inventor	Family Name Spaulding	First Given Name Bryan	Second Given Name Gentry
0	Residence & Citizenship	City San Francisco	State or Foreign Country California	Country of Citizenship U.S.
8	Post Office Address	Post Office Address 55 Santa Clara Avenue	City San Francisco	State & Zip Code/Country California 94127
Signature of Inventor 208:			Date:	

2	Full Name Of Inventor	Family Name Evans	First Given Name Charles	Second Given Name Jonathan
0	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizenship U.S.
9	Post Office Address	Post Office Address 55 West 14 th Street, Apt. 2E	City New York	State & Zip Code/Country New York 10011
Signature of Inventor 209:			Date:	
2	Full Name Of Inventor	Family Name Schnabel	First Given Name Everton	Second Given Name Anthony
1	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.
0	Post Office Address	Post Office Address 428 N. Laurel Avenue	City Los Angeles	State & Zip Code/Country California 90048
Signature of Inventor 210:			Date:	
2	Full Name Of Inventor	Family Name Ochs	First Given Name Hartmut	Second Given Name --
1	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship German
1	Post Office Address	Post Office Address 818 Parkman Avenue	City Los Angeles	State & Zip Code/Country California 90026
Signature of Inventor 211:			Date:	
2	Full Name Of Inventor	Family Name Barnett	First Given Name Jeremy	Second Given Name Eli
1	Residence & Citizenship	City Pacific Palisades	State or Foreign Country California	Country of Citizenship U.S.
1	Post Office Address	Post Office Address 563 Via de la Paz	City Pacific Palisades	State & Zip Code/Country California 90272
Signature of Inventor 212:			Date:	
2	Full Name Of Inventor	Family Name Palmer	First Given Name Seth	Second Given Name David
1	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizenship U.S.
3	Post Office Address	Post Office Address 33 Gold Street, Apt. 509	City New York	State & Zip Code/Country New York 10038
Signature of Inventor 213:			Date:	

2	Full Name Of Inventor	Family Name Henderson	First Given Name Todd	Second Given Name Michael
1	Residence & Citizenship	City Los Angeles	State or Foreign Country California	
4	Post Office Address	Post Office Address 2249 Veteran Avenue	Country of Citizenship U.S.	
Signature of Inventor 214:			Date:	
2	Full Name Of Inventor	Family Name Chong	First Given Name William	Second Given Name W.
1	Residence & Citizenship	City New York	State or Foreign Country New York	
5	Post Office Address	Post Office Address 20 Confucius Plaza, #18M	Country of Citizenship U.S.	
Signature of Inventor 215:			Date:	
2	Full Name Of Inventor	Family Name Forest	First Given Name Bruce	Second Given Name --
1	Residence & Citizenship	City Weston	State or Foreign Country Connecticut	
6	Post Office Address	Post Office Address 10 Spring Valley Road	Country of Citizenship U.S.	
Signature of Inventor 216:			Date:	
2	Full Name Of Inventor	Family Name Koenig	First Given Name Steven	Second Given Name --
1	Residence & Citizenship	City Menlo Park	State or Foreign Country California	
7	Post Office Address	Post Office Address 1751 Croner Avenue	Country of Citizenship U.S.	
Signature of Inventor 217:			Date:	
2	Full Name Of Inventor	Family Name Wiersholm	First Given Name Karl	Second Given Name --
1	Residence & Citizenship	City Kirkland	State or Foreign Country Washington	
8	Post Office Address	Post Office Address 7624 116 th Avenue, N.E.	Country of Citizenship U.S.	
Signature of Inventor 218:			Date:	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an

attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.